IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35870 of 2008
RAKESH PASWAN SON OF SURESH PASWAN, SRESIDENT OF VILLAGE METHANPUR, POLICE STATION MINAPUR, DISTRICT MUZAFFARPUR
----------PETITIONER.
Versus
STATE OF BIHAR
WITH
Cr.Misc. No.36518 of 2008
BINOD KUMAR SON OF RAMPHAL SAHNI, RESIDENT OF VILLAGE RASOOLPUR, POLICE STATION AHIYAPUR, DISTRICT-MUZAFFARPUR
----------PETITIONER.
Versus
THE STATE OF BIHAR----------OPPOSITE PARTY.
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03. 21.10.2008. Heard learned counsel for the petitioner and the State.

Petitioners are accused in a case under Section 414/34 of the Penal Code. They were apprehended at the spot with three stolen motorcycles. Petitioner Rakesh Paswan is said to have purchased one motorcycle from co-accused Jitu who managed to escape.

Petitioner Binod Kumar does not claim ownership but was apprehended at the spot while running away from near the motorcycle. It is submitted on behalf of both the petitioners that besides the present case they are not accused in any other case, which fact shall be taken into account after the petitioners remain in jail custody for a period of nine months.

With this observation this application is rejected.

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Rajesh/ **(V.N.Sinha, J)**

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